

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

WACKER DRIVE EXECUTIVE SUITES,
LLC, on behalf of itself, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

JONES LANG LASALLE AMERICAS
(ILLINOIS), LP,

Defendant.

Case No. 1:18-cv-5492

Judge Andrea R. Wood

Magistrate Judge Sheila M. Finnegan

**DEFENDANT JONES LANG LASALLE
AMERICAS (ILLINOIS), LP'S MOTION TO DISMISS**

Defendant Jones Lang LaSalle Americas (Illinois), LP ("JLL"), by its attorneys, and pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, moves to dismiss the Complaint filed by Plaintiff Wacker Drive Executive Suites, LLC ("Plaintiff" or "WDES") in its entirety. In support of its Motion, JLL incorporates the Memorandum of Law filed herewith, and states as follows:

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted under the Racketeer Influenced and Corrupt Organizations Act ("RICO"). Specifically, Plaintiff alleges that Defendant conducted a "pattern of racketeering," in violation of 18 U.S.C. § 1962(c) (Count I), and "conspire[d]" to do so, in violation of 18 U.S.C. § 1962(d) (Count II). Because Plaintiff fails to allege the predicate violations of other statutes necessary to sustain its RICO claims, Plaintiff's RICO claims fail as a matter of law and must be dismissed pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

2. Plaintiff's Complaint should also be dismissed for lack of subject-matter jurisdiction under Rule 12(b)(1) of the Federal Rules of Civil Procedure. Plaintiff does not have

Article III standing to assert its claims because Plaintiff's purported injury is not fairly traceable to the actions of JLL, and Plaintiff's purported injury is not redressable by a decision in Plaintiff's favor.

WHEREFORE, JLL respectfully requests that this Honorable Court grant JLL's Motion to Dismiss and enter an Order dismissing all claims in Plaintiff's Complaint with prejudice.

Dated: October 22, 2018

Respectfully submitted,

JONES LANG LASALLE AMERICAS
(ILLINOIS), LP

/s/ Scott T. Schutte

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CERTIFICATE OF SERVICE

I certify that on the 22nd day of October 2018, a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court using the Court's CM/ECF system, which will send notification to the following attorneys of record for Plaintiff:

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